

Application Packet for Drug Incinerator

A. Attorney General of West Virginia Public Health Trust Fund and the West Virginia Attorney General's Office: Request for Applications

The Attorney General of West Virginia Public Health Trust Fund ("Public Health Trust Fund") and its member organizations, Higher Education Policy Commission, Department of Health and Human Resources, West Virginia Attorney General's Office, West Virginia Medical Association, and West Virginia Nurses Association, announce the availability of funds to purchase four drug incinerators. The Public Health Trust Fund will use monies to purchase four model 34 oil burn cremators with a large afterburner. Funds will cover the cost of the drug incinerators as well as shipping to the agency. To be eligible for the grant, law enforcement agencies must currently have a drug disposal box or have applied for a drug disposal box.

The West Virginia Attorney General's Office, in coordination with the Public Health Trust Fund, will review and award grants in August 2016. Applicants may be required to be available by conference call to present their plan for use of the drug incinerator and application to representatives of the West Virginia Attorney General's Office and/or the Public Health Trust Fund.

Should you have any questions or need further assistance, please contact Lia Palmer at (304) 741-8442 or Lia.M.Palmer@wvago.gov or Lara Omps-Botteicher at (304) 267-0239 or Lara.K.Omps@wvago.gov.

B. Criteria to Apply for the Drug Incinerators

The West Virginia Attorney General's Office, in coordination with the Public Health Trust Fund, will review the applications based on the following criteria:

1. Existence of a current drop box program and the amount of drugs collected through the program on an annual basis. If no drug drop box program exists, the agency is still eligible to receive a grant if the agency has applied for a drug drop box;
2. Participation in the DEA Take-Back Days and, if so, the amount of drugs collected through the program on an annual basis;
3. Evaluation of law enforcement agency's current need for a method to dispose of collected drugs;
4. Percentage of drug-related crimes in the law enforcement agency's county during years 2013-2015;
5. Number of prescription drug and heroin-related deaths in the law enforcement agency's county during years 2013-2015;
6. Population to be served by drug incinerator; and
7. Location of law enforcement agency and ability to share incinerator with other law enforcement agencies.

C. Assurances

By submitting an application for a drug incinerator, the applicant certifies the following on behalf of the law enforcement agency:

1. Has the legal authority to apply for a drug incinerator, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project described in this application;
2. Will ensure proper use, storage, and maintenance of the drug incinerator;
3. Is a state, county, or local law enforcement agency;
4. Will give the West Virginia Attorney General's Office, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award;
5. Will utilize the drug incinerator and share the use of the drug incinerator with other West Virginia law enforcement agencies, so long as the other agencies sign and agree to a Memorandum of Understanding regarding their use of the drug incinerator;
6. Will partner with different organizations, businesses, entities, and agencies, as appropriate and in accordance with federal, state, and local law, to incinerate drugs collected through a drop box program or take-back day event;
7. Will aim to incinerate collected drugs on a quarterly basis;
8. Will share with the West Virginia Attorney General's Office, on an annual basis, the pounds of drugs incinerated through the use of the incinerator;
9. Will comply with all applicable environmental standards; and
10. Will comply with applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

**D. Sample Memorandum of Understanding and Shared Usage of Drug Incinerator
Between a Lending Law Enforcement Agency and a Borrowing Law Enforcement
Agency**

I. Introduction

This Memorandum of Understanding (“MOU”) is an agreement between law enforcement agencies to share in the use and maintenance of the Model 34 Oil Burn Cremator and Large Afterburner obtained from the disbursement of funds from the West Virginia Public Health Trust Fund (hereinafter “drug incinerator”).

II. Parties and Participating Agencies

The parties to this MOU are the _____ agency (hereinafter “lending agency”) and the _____ agency (hereinafter “borrowing agency”).

III. Purpose

This MOU provides procedures and guidance for coordination and cooperation between the lending agency and the borrowing agency regarding the use of the drug incinerator.

IV. Agreement

- A. The lending agency, as the owner of the drug incinerator, agrees to loan the drug incinerator on an as-needed basis to the borrowing agency, so long as the borrowing agency is equipped to safely transport, use, store, maintain, and return the drug incinerator to the lending agency. The lending agency will loan the drug incinerator depending on its availability.
- B. The borrowing agency is permitted to use the drug incinerator on a first come-first serve basis.
- C. The borrowing agency agrees that the drug incinerator will only be used to properly incinerate drugs in compliance with all federal, state, and local laws as well as the borrowing agency’s internal policies and procedures.
- D. The borrowing agency agrees to operate the drug incinerator in accordance with all applicable Drug Enforcement Administration (“DEA”) and Environmental Protection Agency (“EPA”) guidelines.
- E. The borrowing agency is responsible for safely transporting, using, storing, maintaining, and returning the drug incinerator to the lending agency’s incineration site.
- F. The borrowing agency is fully responsible for any damage caused to the drug incinerator while not in the possession of the lending agency, including during the drug incinerator’s transport, use, or storage.

Lending Agency Authorized Representative:

Signature: _____

Print Name, Title/Rank: _____

Date: _____

Borrowing Agency Authorized Representative:

Signature: _____

Print Name, Title/Rank: _____

Date: _____